

VZCZCXRO5697  
PP RUEHDBU RUEHFL RUEHLA RUEHMRE RUEHROV RUEHSR  
DE RUEHKB #0590 1351356  
ZNY CCCCC ZZH  
P 151356Z MAY 07  
FM AMEMBASSY BAKU  
TO RUEHC/SECSTATE WASHDC PRIORITY 3011  
INFO RUCNCIS/CIS COLLECTIVE PRIORITY  
RUCNOSC/OSCE COLLECTIVE PRIORITY

C O N F I D E N T I A L BAKU 000590

SIPDIS

SIPDIS

E.O. 12958: DECL: 05/15/2017  
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [AJ](#)  
SUBJECT: EX-MINISTER FARHAD ALIYEV'S TRIAL BEGINS;  
JOURNALISTS, OBSERVERS BARRED ACCESS

Classified By: POLITICAL/ECONOMIC CHIEF JOAN POLASCHIK PER 1.4(B,D)

¶1. (U) On May 15, the trial of former Minister of Economic Development Farhad Aliyev - along with 18 other defendants, including Aliyev's brother, former AzPetrol Oil Company President Rafiq Aliyev - began at the Court of Grave Crimes. Aliyev was among several high-profile GOAJ officials arrested in October 2005 on charges of corruption and of plotting a coup d'etat; the GOAJ later separated Aliyev's prosecution into two trials, beginning with a trial exclusively on allegations of official corruption and embezzlement. The GOAJ has not indicated if/when it will prosecute Aliyev (or jailed former Minister of Health Ali Insanov) on coup-plotting charges.

¶2. (U) In the May 15 preliminary session, the court made several decisions regarding technical complaints raised by the defendants' lawyers. Representatives from only a handful of media outlets - independent ANS Television, and pro-government Lider Television, Azad Azerbaijan Television (ATV), and APA news agency - were allowed into the courtroom, and their cameramen were permitted to film only limited segments of the proceedings. Claiming there was not space, court officials barred all other journalists from entering the courtroom, including BBC and Voice of America correspondents, and all other independent and opposition journalists. International observers, including Emboffs and representatives from the British Embassy and the OSCE's trial monitoring project, were also barred access, along with some of Aliyev's lawyers and all of his family members.

¶3. (C) Human rights activist Elchin Behbudov was allowed to enter the courtroom, but was forced to leave when he could not find a seat. Behbudov told us that it appeared several benches had been removed from the courtroom to intentionally accommodate less people. Opposition Member of Parliament Jamil Hasanli, who chairs the Committee to Protect the Rights of Farhad Aliyev, and who was allowed into today's session, told the press that the courtroom was full of "refugees and invalids" who had been brought in to fill up the courtroom and effectively prevent others from monitoring.

¶4. (C) COMMENT: We are concerned by the GOAJ's restrictions on access to the courtroom. The GOAJ had pledged that it would allow international observers - including staff of the OSCE's trial monitoring project - unfettered access to the trial. We have been trying to reach President Aliyev's Judicial Advisor to express our concerns and to urge - again - that this trial be conducted in a open and transparent manner, in full accordance with Azerbaijani law. The OSCE office in Baku also shares our concerns and plans to raise this with the Presidential Apparatus and the Ministry of Justice. We plan to monitor future trial sessions, provided we are permitted access, and will continue to report developments.

DERSE